

Steven F. Gooby (SG-2981)

PIPER RUDNICK LLP

(A New Jersey Limited Liability Partnership)

379 Thornall Street, 8th Floor

P.O. Box 2940

Edison, New Jersey 08837-2226

(732) 590-1850

Attorneys for Piper Rudnick LLP, *pro se*

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**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY**

In re:

BRITESTARR HOMES, INC.,

Debtor.

*
* Chapter 11
*
* Case No.:
*
* Hearing Date:
* a.m.
*

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**NOTICE OF MOTION TO COMPEL COMPLIANCE WITH SUBPOENA AND TO HOLD
STEVEN SMITH IN CONTEMPT FOR FAILURE TO OBEY SUBPOENA**

TO: Steven Smith
250 Neptune Circle
Brick, New Jersey 08723-7520

PLEASE TAKE NOTICE that on the 21st day of April 2003, at 11:00 o'clock or as soon thereafter as counsel may be heard, the undersigned, as counsel for Piper Rudnick LLP shall appear before a Judge of the United States Bankruptcy Court, at 50 Walnut Street, 3rd Floor, Newark, New Jersey, for the entry of an Order, pursuant to Bank. R. 9016 and Fed. R. Civ. Proc. 45: (1) compelling compliance by Steven Smith ("Smith") with subpoenas served on him by Piper Rudnick LLP; and (2) declaring Smith to be in contempt.

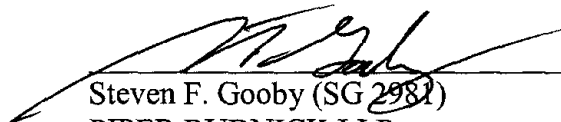
PLEASE TAKE NOTICE that pursuant to Local Bankruptcy Rule 9013-1(f), oral argument is requested.

PLEASE TAKE FURTHER NOTICE that pursuant to Local Bankruptcy Rule 9013-2, no brief or memorandum of law is being submitted with the within motion, as there are not complex issues of law involved, and the applicable law is set forth within the body of the application.

PLEASE TAKE FURTHER NOTICE that unless objections to the relief requested are filed in accordance with Local Bankruptcy Rule 9013-1(d), the relief requested may be granted without further notice.

Dated: March 27, 2003

Respectfully submitted,



Steven F. Gooby (SG 2981)
PIPER RUDNICK LLP
(A New Jersey Limited Liability Partnership)
379 Thornall Street, Eighth Floor
Edison, New Jersey 08837-2226
(732) 590-1850

Of Counsel:

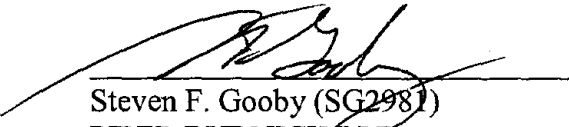
Howard S. Schrader
PIPER RUDNICK LLP
1251 Avenue of the Americas
New York, New York 10020
(212) 835-6000

CERTIFICATION

I hereby certify that a copy of this Motion has been filed with the Clerk of the captioned Court and that a copy of the same was served upon the following interested parties by Federal Express overnight delivery:

Steven Smith
250 Neptune Circle
Brick, New Jersey 08723-7520

Timothy D. Miltenberger
Coan, Lewendon, Gulliver & Miltenberger, LLC
495 Orange Street
New Haven, Connecticut 065411



Steven F. Gooby (SG2981)
PIPER RUDNICK LLP
Attorneys for Piper Rudnick LLP, *pro se*

DATED: March 27, 2003